



October 15, 2018

Marlene H. Dortch
Secretary
Federal Communications Commission
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Washington, D.C. 20554
VIA ECFS

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Re: FCC WC Docket No. 18-155

On October 15, 2019, Leo A. Wrobel, CEO of FailSafe Communications Inc. (FailSafe) conducted a teleconference with Gil Strobel, Division Chief Pricing and Policy Division, Lynne Engledow, Deputy Division Chief Pricing and Policy Division, and Jamie Saloom, representing the Office of Chief Counsel for Office of Advocacy for the U.S. Small Business Administration (SBA). The parties discussed concerns expressed by FailSafe in their September 13, 2019 and October 3, 2019 letters.

Mr. Wrobel described FailSafe's emergency and call congestion / overflow traffic and how it might be mistaken with “access stimulation” traffic under the rules of this Docket. In the ensuing discussion there was general agreement among the Parties that the rules as written in 18-155 would not affect originating access traffic, such as outbound 8YY and 1+ traffic that traverses the FailSafe cloud or Web Call Controller.TM This clarification assuaged a number of the concerns expressed by FailSafe.

The Pricing and Policy Division will continue to evaluate FailSafe's other concerns that are only tangentially related to 18-155, such as self-help by carriers and the policy, 911 and other public welfare issues addressed in FailSafe's letters. The FCC helpfully suggested some avenues outside 18-155 and committed to continue to discuss them internally in their evaluation, which FailSafe deeply appreciates.

Finally, the representative from the SBA Office of Advocacy brought up the Small Entity Compliance Guide, which is presently in draft form at the FCC. This initiated discussion about whether some of FailSafe's concerns might be further memorialized there. Barring further questions, the Parties agreed to wait for the FCC to issue that document before taking further action, assuming any action is still required at that time.

Respectfully Submitted,

Leo A. Wrobel, CEO
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